

Witness. It was this arrangement that led in part to the report that Schneider himself might be charged with the murder.

After the lad's release Hagerty and Brown hustled young Hayes into a motor car and made a quick trip back to New Brunswick. It was here that Brown here that Schneider had been charged with the murder of the town was so young with the news. It may be said, too, that this news was received as joyfully on the streets as would be the news that the real murderer was found. And out in the neighborhood of the Hayes house the excitement was intense.

A dozen motor cars were drawn up in the unpaved street before the little house in which the Hayes family lived. There were more than a hundred women, fully twice as many children, and a score or more of men about, running and shouting and shouting and shaking hands, laughing and chattering. On the steps of the house opposite little groups discussed the news gleefully.

Hayes Gets an Ovation.

Then along came the automobile run about from Somerville, with all three of the occupants grinning with emotion. Hayes in the middle. He waved his hand while the car was still half a block away, and those in the crowd began clapping their hands. Several of the women shouted shrilly and a husky voice or two cried: "Hello, Cliff! Oh, Cliff!"

Mrs. Hayes, the elderly mother of the lad, had remained within until that minute. She came out, laughing and crying, and almost fell down the steps or two from the porch in her haste to greet her boy. Another son, Joe, grabbed her and held her back a little, while she extended her arms toward Cliff. But the photographers had their innings before the eager mother got a chance.

Hayes was photographed alone, standing by the automobile. Then he was photographed with Hagerty and then with Hagerty and Brown. Then Mrs. Hayes struggled through the group and reached Cliff, throwing her arms about him motherly in an all embracing hug. She cried and he cried a little, though he tried not to.

While they were clutching their arms the shutters on the cameras clicked again. Nearly all the women were crying by this time and some of the men were looking self-conscious. Mrs. Hayes held her boy tight and hugged him and struggled back through the crowd and into the little house, every one she passed trying to shake Cliff's hand, patting him on the shoulder, telling him "Good boy, Cliff."

Cliff Back Home at Last.

Then the door was closed and Cliff, with his lawyers, went into the little old fashioned, low ceilinged parlor and sounds of crying and laughing could be heard through the windows.

That was Cliff's homecoming. A little while before, at a house not far away, where the Schneiders live, there had been a scene of a very different character. Somehow the Schneiders had an idea that their boy, Raymond, had also been released.

When they were disillusioned Schneider's father, cried, "God, don't tell me it isn't so, don't kill me!" Then Mrs. Schneider, after she had regained her composure, said: "Oh, I wish I were well enough to go around and tell Mrs. Hagerty how glad I am. My mother's heart goes out to her. I believe in her boy, Cliff, just as I believe in my own boy, and every day we have prayed that Raymond would have the strength to tell the truth."

So Schneider, still in tears went to the Hayes house and greeted the happy mother. This was just before the boy arrived home. The boy, however, was Schneider that he all but collapsed in the Hayes parlor.

Hours after young Hayes had reached home there was still a crowd about the house and the geraniums had been trampled. Mrs. Hagerty, a colorless, frail woman with joy in the back yard and crying women were standing and sitting on the little porch. To not three feet from the sidewalk. To not three feet from the sidewalk. To not three feet from the sidewalk.

Prosecutor Azariah Beckman did not come back from Somerville. His colleagues of Middlesex county, Joseph E. Stricker, and the latter's assistant, John T. Quinn, did not put in an appearance either at the court house. Of course it was a holiday held in memory of Columbus, a great discovery.

A Beckman after Hayes had left Somerville for New Brunswick made a statement explaining the situation. This is the only statement of any length that Beckman has made at any time and it is the only statement of any length, other than the one he issued throwing any light on the case or his conduct of it.

Beckman Issues Statement.

Here is the statement: "Hayes was arrested on Monday night in complaint made on information and belief developed by facts that came into the possession of the prosecutor's office through the examination of Raymond Schneider and several other witnesses. In various details corroborated the story of Schneider's and Hayes' doings on the night of the murder."

"These statements showed they were in company together and engaged in a common purpose which took them near the scene of the crime at a late hour at night. Including all of the time involved in the investigation going on, or relating to the killing itself, Hayes himself admitted being in company with Schneider that evening and agreed with Schneider to the extent of the purpose in which they were engaged. Other witnesses, notably Leon Kaufmann, also corroborated the doings of the pair up to a late hour that night and until, as he alleges, they were released."

"Of course these facts include a direct accusation against Hayes made by Schneider to the effect that near the crabapple tree where the bodies were found later, after the shooting, there were more shots at the two persons, a man and a woman, by Schneider supposed at that time to be Nick Bahner and the latter's assistant, John T. Quinn, and that Schneider and Hayes had followed during the evening for a considerable period of time."

"These circumstances created a sufficient set of facts on which to found a complaint, and since Hayes' arrest every effort has been made to ascertain the truth and reliability of Schneider's story."

"On Wednesday evening, in an interview with County Detective Totten, Schneider indicated his desire to change his story. I was notified of this, and immediately made a matter up this morning, and on learning that Schneider desired to retract his former accusation against Hayes I notified Hayes' counsel, Thomas Brown and Thomas H. Hagerty. Arrangements were made for a formal hearing to be held before a committing magistrate, and such hearing was demanded by the counsel."

"Such hearing was held. The hearing developed the fact that Schneider retracted all parts of his former statement which in any way placed Hayes at the scene of the shooting or near thereto than the park on the opposite side of the road, and that Schneider retracted all he had said concerning the shooting, and upon this showing the prisoner was discharged."

"Hayes made a little statement, too, for publication. It was: "I want to thank all my friends for what they have done. I am very happy to be home with my good mother and father."

FOUND ANYTHING? If so, how is it advertised in the Last and News, returns of to-day's New York Herald.

Remorse in Darkness Breaks Down Schneider

Special Dispatch to THE NEW YORK HERALD.

NEW BRUNSWICK, N. J., Oct. 12.—Detective Totten, who is responsible for Schneider's retraction of his charge that Clifford Hayes killed Rector Hall and Mrs. Mills, told to-night how he brought it about. Totten, incidentally, never did believe that Hayes was guilty. He said:

"I had been questioning the Schneider boy with James Major in the visitors' room of the jail. After Major left I turned out the light. Schneider and I were both smoking. In a few minutes Schneider came through and told me that it was all a lie; that he had wanted to tell the truth from the time in the afternoon he saw Mrs. Hayes, her husband and her other son Joe come to the jail. Mrs. Hayes bringing a plea for Cliff."

"He saw them through the window and he told me he said to himself, 'My God, this is an awful thing I've been doing with this boy for years.' Then, later, when he heard Mrs. Hayes crying and sobbing he made up his mind to tell the truth."

Arrangements for a Hayes tag day on Saturday will be carried out and the money raised will be used to pay the cost of the legal services Hayes has had from Hagerty and Brown. These two explained to-day that they had been considering applying for habeas corpus, but that their course had been the wise one, as had the application been made and denied, it would not have been possible to bring about the release of Hayes.

Schneider's explanation of his lying is contained in the record of the hearing held in Somerville this morning. He lied for spite, because he believed Hayes and Pearl Bahner had lied about him. He had in mind especially the allegation he says they made that he was on the Phillips farm on the night of the murder.

Beckman did most of the questioning of Schneider, but it was Detective Totten who opened the examination by asking Schneider if it was not true he had said yesterday that he had lied in his previous statements and now wanted to tell the whole truth.

Questions Put to Schneider.

Schneider admitted he had lied and Beckman continued the examination, which proceeded in part as follows, with the questions and answers:

Q.—Why did you lie in the previous statements that you made?

A.—Because when I first gave a statement I told that I was on the Phillips farm and later I made a statement that I was not near the Phillips property. Mr. Hayes and Miss Bahner said that I was on the Phillips property with Hayes.

Q.—When was it that these people contradicted you?

A.—About two weeks ago last Sunday. It was then that the first time that I appeared at the prosecutor's in New Brunswick.

A.—I think that it was the second time that I appeared.

Q.—Your statement at that time was that you had not been on the Phillips property and later stated that you had been with Hayes?

A.—Yes, sir.

Q.—The contradiction of Hayes of your story is what induced you to make a false statement against him?

A.—Yes, sir.

Q.—You both contradicted you, did you not?

A.—Yes, sir.

Q.—You did not make that statement at the time to protect yourself against a charge of murder, did you?

A.—No, sir.

Q.—You did not make the statement that you had done, accusing Hayes, with the idea of escaping the consequences of something you had done yourself, did you?

A.—No, sir.

Old Statement Brought Up.

Beckman then read part of Schneider's statement of October 5. This was to the effect that he and Hayes went out on the night of the murder and saw the bodies of the two persons, a man and a woman, and that they saw a couple on the last bench in Boudiech Park. Hayes, he had said, had spoken of the gun he carried and declared he would not use it unless he caught the two they were looking for in a compromising situation.

He then in that statement said they went to the half hidden "back yard" into the Phillips property and by that route to the apple tree. The exact wording of the statement was as follows:

"Hayes was in the lead, about three or four feet. We went all the way to the crab apple tree, and then Hayes said, 'Here they are.' I was about three or four feet behind Hayes and could not see him. I saw a flash of light, but I heard no shooting. I heard no screams or any noise at all. I went toward De Russy lane and started walking down the lane toward Easton avenue and he followed me."

In this statement Schneider told of their going through the park home. When Beckman had finished reading he asked: "Is that true or not?" Schneider said: "It is not true."

"It is not true in so far as it takes you to the Phillips property and in so far as it relates to any shooting," Schneider was asked.

"It is not," was the reply.

Schneider's Second Statement.

Beckman read Schneider's second statement, which read in part:

"And I understand that this statement can be used against me, but I am telling the truth. Just as soon as the shots were fired at the crab apple tree and the woman and man were killed, I saw that there was a mistake had been made, because they did not seem to be Mr. Bahner and Pearl, because it did not look like them from a distance."

"I was then about four feet from the bodies. I am not getting my imagination mixed up on Thursday with what I saw on Saturday. At this time I was

OOZE CONQUERS ELEPHANT THAT WRECKED LANDSCAPE

Topsy May Tear Down Factories, Freight Cars, Flower Beds and Houses, but She Can't Do Much in Swamp.

WILMINGTON, N. C., Oct. 12.—Topsy, a four-ton elephant that played a winning game with her keepers in their desperate efforts to corral her after an eighteen-hour rampage in the city, escaped for the fourth time late this afternoon.

The fugitive smashed a freight car on which attendants were attempting to load her and fled to a swamp, where she has been stalled in a tangle.

The giant animal is floundering about in the oozy mud with her life in serious danger unless she is able to clamber from the bog. The marsh in which the beast is trapped is free from underbrush, which prevents the elephant from pulling herself to safety with her trunk.

Her final break came at a moment when she was apparently on the verge of departing from the city. The big pachyderm permitted herself to be led down the west side of the Cape Fear River to a fertilizer plant, where attendants planned to place her in a car. Topsy mounted to the car entrance without a tremor, but the moment she glimpsed the interior she gave a mad bellow, smashed the side of the car and made a dash for a nearby field, the elephant floundered into the bog.

The elephant for forty-eight hours had been celebrating in the vicinity of Wilmington by wrecking everything in sight.

The big animal escaped from a circus here Tuesday morning after becoming frightened at a nearby barking dog. She went through fences, flower beds, a negro cabin and a dye factory, among other things, and turned over several motor cars. The government she swam Cape Fear River and penetrated the alligator infested Brunswick swamp without apparent damage.

Notice of suit for \$25,000 damage caused to its plant by the elephant has been filed by the Eureka Dye Works here.

The outbreak, according to Topsy's keepers, was brought on by an attack of nerves.

MELLON BLOCKS DRY MOVE TO CONFISCATE ALIEN SHIPS

Continued from First Page.

As it appeared to-day is that Secretary Mellon is inclined to be liberal in his interpretation of the Daugherty ruling and that he is simply following out the opinions of the Supreme Court. Where treaties between the United States and foreign Governments have interfered with the carrying out of the law, the decisions look precedent. That is the line of action I followed when I rendered my recent decision.

Protection of Missions.

It was declared both at the Treasury and the Department of Justice to-day that no matter how the opinion of the Attorney-General is interpreted by officials of the Government, Government missions would be protected under the age honored rules of international law.

Under the opinion of the Attorney-General various penalties are provided for violations of the Volstead law. A memorandum prepared to-day by Mrs. Mabel W. Willbraund, Assistant Attorney-General, who drafted the original opinion for the department, says:

"Foreign and American ships by the recent opinion of the Attorney-General also become amenable to the provisions of the national prohibition act. Section 25 of the statute provides a penalty of \$2,000 for the second offense."

Two other provisions of the Volstead act, which may be invoked, are (a) the national prohibition act, Sections 21, 22 and 24, which provide for the seizure and forfeiture of a vessel used for the transportation of liquor, and (b) the so-called transportation section of the Volstead act, which provides for the seizure and forfeiture of a vessel used for the transportation of liquor, and (c) the so-called transportation section of the Volstead act, which provides for the seizure and forfeiture of a vessel used for the transportation of liquor.

Mr. Daugherty, however, stated that the situation is now entirely up to Secretary Mellon. In no way did he

about four feet from the bodies and I did not see the struggle.

"At this time Clifford Hayes stood on the left side of the bodies. I standing on the right and the bodies between us. I did not see where Clifford put the pistol. Then I walked toward the bodies and in accordance with the view and then walked toward Easton avenue."

"Then Clifford Hayes overtook me on the lane near Easton avenue; this was about fifteen or twenty minutes later. When the shooting happened, it was one o'clock or one thirty a. m."

Q.—Was that statement true or untrue?

A.—Absolutely untrue.

Q.—Particularly in so far as it charged Clifford Hayes with the shooting at the bodies that were found under the crabapple tree by you the next Saturday?

A.—Yes, sir.

Q.—Do you remember being confronted with Hayes in the back room of the Prosecutor's office last Sunday night?

A.—Yes, sir.

Q.—And do you remember charging him to his face with what you had said in these various statements that you have made?

A.—Yes, sir.

Q.—And he said you were a liar, did he not?

A.—Yes, sir.

Q.—And he said you were a liar, he or you?

A.—I was.

Q.—You lied about him because you were sore on him?

A.—Yes, sir.

In spite of his amazing admission of his own lying in charging Hayes with murder Schneider stuck to it to the last. When they said he was on the Phillips farm that night, this may prove of vital importance later, because from all appearances there are two witnesses who swear that Schneider was on the farm that night, though they were not.

Gorline Gets a Surprise.

It was a matter of intense surprise to Ralph V. M. Gorline, the vestryman, to-day that the burning of his motor car, which he had been driving, had been caused by the Prosecutor as to his movements on the night of the murder should have been regarded as of any significance.

He said he could not explain the fire as the garage people had reported to him that the car was in perfect condition when it was taken out on Sunday.

Beckman evinced great interest in the burning of the car to-day, and at Somersetville asked the reporters several questions concerning it. He refused, however, to make any comment. When the car burned it was not being driven by Gorline but by a chauffeur.

Detective Collins left here this afternoon for his second trip to Philadelphia just after a visit to the Hall home, where he asked for and received the coat and scarf that Mrs. Hall had cleaned and dyed by a firm in Philadelphia soon after the murder. A report from Philadelphia is that the proprietor of the dyeing establishment, after making an investigation, reported to the police there that the stains on the garments were such that they had to be scraped off.

Another report made to the authorities here some days later, and not followed up, was that there is a Philadelphia pawn shop a watch that nearly answers the description of the timepiece that Hall was carrying at the time he was killed and which had been missing ever since.

Arrangements were made to-night for an indignation meeting to-morrow night in the Landing Athletic Club in the Sixth Ward, where Hayes lives. Hayes is to address the meeting.

MIDDLETOWN WITHOUT GAS.

Special Dispatch to THE NEW YORK HERALD.

MIDDLETOWN, N. Y., Oct. 12.—A burst of gas put the gas plant here out of commission for twenty minutes to-day. The gas supply was cut off all over the city. The accident was said to be of rare occurrence.

WOMEN'S CLUBS ASK A FIGHTER DRY LID

Vote Unanimously Against Return of Even Light Wines and Beers.

FROWN ON SORORITIES

Resolution Aimed Against Short Skirts Is Buried in Committee.

OFFICERS ARE ELECTED

Federation Convention, Representing 300,000 Members, Is for Direct Primary.

The return of light wines and beer, high school fraternities, mosquitoes and the convention method of selecting political candidates were among the subjects severely frowned upon by the New York State Federation of Women's Clubs at their twenty-eighth annual gathering yesterday in the Commodore. It was a day for the presentation of resolutions by Mrs. William D. Sporborg, chairman of the committee, and gave the 2,000 delegates an opportunity to speak their minds freely on the various matters which they hope to assist in regulating.

In the absence of Mrs. Ella A. Boole, who was to talk on "Temperance and Law Enforcement," Mrs. Leigh D. Colvin asked the women to vote on whether they wanted to lift ever so little the lid that has been clamped down hard through the efforts of Mr. Volstead. They responded in a surprisingly enthusiastic and condemnatory manner, unalterably opposing a modification of the prohibition act and advocating instead the strictest enforcement of the law.

The delegates represent more than 600 clubs throughout the State, with a total membership of more than 300,000. Mrs. Colvin appealed to the official representatives of this vast number of club women to enlist their own organizations in support of prohibition.

Sororities Voted Down.

The Women's Club of New Rochelle offered a resolution, which was adopted, condemning high school fraternities and sororities. The federation was called upon to support the proposed legislation designed to eliminate entirely such organizations from the high school girls' or boy's life. The resolution was based on the one adopted recently by the Board of Education, which urged the State Commissioner of Education to support all anti-fraternity bills.

The famous New Jersey flying pests were dealt with summarily by the delegates, who were invited by the public health section to assist in a mosquito extermination campaign. The Women's Club of New Rochelle also behind this campaign. Mrs. Sporborg announced that a resolution calling upon women to reject the short skirt fashion had been submitted by a federated club, but that the committee did not consider it important enough to discuss.

The dry rule was enforced rigidly, as Mr. Bodansky, conductor of the Metropolitan Opera Company, found out. He had arranged to give a farewell champagne supper on Wednesday night to a party of friends. When he was informed that the champagne, although ordered, could not be served, he expressed surprise, mingled with a bit of disgust. Finally, however, he announced that he was quite willing to abide by the law, and that he would serve only low peccolite they might seem to him now how inconvenient.

Carl Schriener, manager of the Munich Reinserer Company, before the New York State Legislature, said he had learned that the last of the ship's fine beer would cease to flow at midnight on Tuesday, but that he had become so used to shocks in Germany that he soon regained his composure. Among other things he felt the aridity were Prof. Wilhelm Ritter von Wymetal, stage director for the Metropolitan, recently with the Vienna Opera House; George Meader, Metropolitan tenor, and Lotos Robb, actress.

Mr. Bodansky said more Wagnerian opera would be given this season at the Metropolitan than at any time since the war.

BRITISH GOVERNMENT WILL NOT INTERVENE

Afraid Action Would Prejudice Debt Negotiations.

Special Cable to THE NEW YORK HERALD.

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London, Oct. 12.—The British Government is still keeping out of the dispute about the liquor that goes down to the sea in ships, being determined not to prejudice the all important debt negotiations next month by doing anything to irritate American opinion, for it is realized that the middle western States are the very ones which must be converted to Great Britain's economic plea when Sir Robert S. Horne, Chancellor of the Exchequer, or some one else presents her case in Washington.

Mr. George Harvey, the American Ambassador, called at the Foreign Office yesterday. He admitted the occasion was of some importance, but could not discuss it. He said he had nothing to do with wet ships or dry.

Certified Barbers, Aim of National Movement

Special Dispatch to THE NEW YORK HERALD.

CHICAGO, Oct. 12.—The organization of a certified barbers' association was sponsored by the Barbers Supply Dealers Association of America at its final sessions here to-day.

The purpose, according to Z. C. Shaw, president of the supply dealers, is to elevate the barber trade by causing barbers to use certified products from certified manufacturers, and also to make the 75,000 barber shops in the country adopt a higher standard in their own practices.

WRIT SHIELDS RUM OF AMERICAN SHIPS

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fining the limits of the Eighteenth Amendment and of the Volstead law with relation to ships, our company, as a matter of course, will comply strictly with the terms of that decision. All we ask is an interpretation of the law by the Supreme Court."

The Cunard-Anchor Line case is a civil suit against Andrew W. Mellon, Secretary of the Treasury; Mr. Stuart, as acting collector of customs, and Mr. Day. It says that the time has come when twenty-four ships that carry passengers in and out of New York; that the crews of the ships are mostly citizens of countries that have no prohibition laws, and that it would have grave consequences if the United States government prohibited from furnishing a usual and reasonable amount of liquor to members of the crews.

The complaint also says that the Italian laws require that certain officers and seamen shall be Italian when third class Italian passengers are carried and that those third class passengers and seamen must have Italian wine containing not less than 12 per cent alcohol.

If the Daugherty ruling becomes effective, adds the complaint, "it would cause great pecuniary loss by reason of difficulty in obtaining crews and loss of passenger business."

Always Under Seal in Port.

Liquor aboard vessels of the Cunard-Anchor Line, the document continued, has been carried into American ports under custom seal and used only outside the three mile limit. Belief is expressed that "interference with the carriage of such sea stores for crew and passengers would violate complaints rights under existing treaties between the United States and Great Britain and otherwise."

It is on this specific point that the petition for a permanent injunction restraining Federal agents from seizing liquor laden vessels will be carried to the United States Supreme Court. If necessary, an American law or Government decree that violates an international treaty, it is contended, cannot be constitutional.

Agents of Mr. Appleby will continue to-day to remove liquor from American vessels now in port. Five large ships, from which liquor cargoes have not been removed, are to sail Saturday. With their liquor under customs seal it is expected that they will clear regardless of whether the dry agents are able to get it off in time.

The vessels affected are the Finland of the Red Star Line; Pan-American, Munson Line; Pastores, United Fruit Line; Proteus, United Fruit Line; and the Orisaba of the Ward Line. The Finland is certain to sail, under the order by Judge Hand. Customs office declared that the vessels' liquor licenses papers might be refused to the others.

SHIP BOARD VESSELS CANCEL LIQUOR ORDERS

The Scythia of Cunard Line Carries Usual Supply.

Special Cable to THE NEW YORK HERALD.

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CHICAGO, Oct. 12.—The George Washington, sailing to-night for New York, and the Proteus, sailing to-night for the United States Shipping Board fleet, sailing on Saturday, have canceled liquor orders for wines and liquors. These supplies were for the voyage to New York and return.

It was said the stock already on board probably would be put ashore here and French customs officials declared they would not allow duty on the stock as foreign goods.

LONDON, Oct. 12 (Associated Press).—The George Washington left Southampton to-day with no liquor on board. The Cunard Line steamer Scythia, however, departed from Liverpool for New York, carrying her customary stores of alcoholic beverages. "We know no more about an alleged test case in the United States on the Daugherty decision," said an official at the Cunard Line.

WINE WORTH \$100,000 SEIZED IN IMPORTERS

Member of Alonge Brothers' Firm Arrested.

Sherry wine valued at \$100,000 was seized Wednesday night in a storeroom of Alonge Brothers, Importers, Elizabeth street, it was revealed yesterday after the arrest of Dominick Alonge, member of the firm. Pending arrangements to-day before Magistrate Protheringham in Essex Market Court. Alonge was released in \$500 bail.

The wine, contained in 188 barrels, was stored by Sergeant Morris Greenberg of the Market street station, search warrant issued by Justice Joseph O'Malley of the Supreme Court.

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